

Name & Address:
Chijioke O. Ikonte, SBN206203
Law Offices of Akudinobi & Ikonte
3540 Wilshire Blvd., Suite 850
Los Angeles, CA 90010
(213) 387-0869

RECEIVED
CITY OF CORONA
CITY CLERK

12 SEP 20 AM 9:41

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

EMMANUEL ONYENWE

CASE NUMBER

PLAINTIFF(S)

ED CV12-01363 MMM SPX

v.

CITY OF CORONA, OFFICER MONTALBANO
#002508, OFFICER DOPSON, OFFICER B.
GONZALEZ, and DOES 1 - 10 Inclusive

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Chijioke O. Ikonte, whose address is 3540 Wilshire Bl., Suite 850, Los Angeles, CA 90010. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

TERRY NAFISI

Clerk, U.S. District Court

Dated: 8-15-12

By: M. Mead
Deputy Clerk MARCO MEAD

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

FILED

2012 AUG 15 PM 3:34

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

EMMANUEL C. AKUDINOBI, SBN 188903
epcakudinobi@yahoo.com
CHIJOKE O. IKONTE, SBN 206203
cikonte@yahoo.com
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3540 WILSHIRE BLVD., SUITE 850
LOS ANGELES, CA 90010
(213) 387 - 0869
(213) 387 - 0969 (fax)

Attorneys for Plaintiff
EMMANUEL ONYENWE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

EMMANUEL ONYENWE,

Plaintiff,

Vs.

CITY OF CORONA, OFFICER
MONTALBANO #002508, OFFICER
DOPSON, OFFICER B. GONZALEZ,
and DOES 1 – 10 Inclusive,
Defendants

ED Case No. CV12-01363 MMM

COMPLAINT FOR DAMAGES
REQUEST FOR JURY TRIAL

SPX

The plaintiff, EMMANUEL ONYEWNE, for himself alleges as follows:

I

PARTIES

1. Plaintiff, Emmanuel Onyenwe ("Onyenwe"), was and at all times relevant herein a resident of the County of Riverside.
2. Defendant City of Corona ("Corona") was and at all times relevant a public entity duly organized and existing under the laws of the State of California. At all times relevant herein, it was acting pursuant to its policies, customs, practices and/or usages.

- 1 3. Defendant Officer Montalbano ("Montalbano") was and at all time
2 relevant to this lawsuit a police officer employed by the Corona Police
3 Department ("CPD"). At all times relevant hereto, said defendant was
4 acting within the course and scope of his employment as an officer of
5 CPD and acted pursuant to ordinances, regulations, policies, customs,
6 practices, and usages of defendant City of Corona and its police
7 department.
- 8 4. Defendant Officer Dopson ("Dopson") was and at all times relevant to
9 this lawsuit a police officer employed by the Corona Police Department
10 ("CPD"). At all times relevant hereto, said defendant was acting within
11 the course and scope of his employment as an officer of CPD and acted
12 pursuant to ordinances, regulations, policies, customs, practices, and
13 usages of defendant City of Corona and its police department.
- 14 5. Defendant Officer B. Gonzalez ("Gonzalez") was and at all times
15 relevant to this lawsuit a police officer employed by the Corona Police
16 Department ("CPD"). At all times relevant hereto, said defendant was
17 acting within the course and scope of his employment as an officer of
18 CPD and acted pursuant to ordinances, regulations, policies, customs,
19 practices, and usages of defendant City of Corona and its police
20 department.
- 21 6. PLAINTIFF is ignorant of the true names and capacities of defendants
22 sued herein as DOE defendants 1 through 10, inclusive, and therefore sue
23 these defendants by such fictitious names. PLAINTIFF will amend this
24 complaint to allege their true names and capacities when ascertained.
25 PLAINTIFF is informed and believes and thereon alleges that each of the
26 fictitiously named defendants is responsible in some manner for the
27 occurrences herein alleged, and that PLAINTIFF'S injuries as herein
28

1 alleged were proximately caused by the acts and/or omissions of said
2 fictitiously named defendants.

- 3 7. At all times relevant herein, SUPERVISING OFFICER DEFENDANTS
4 were supervisors and/or policy-makers for the City of Corona and/or
5 agents with both apparent and actual authority to formulate policies for
6 the City of Corona. These defendants instituted, and knowingly and
7 intentionally assured the continued existence of policies, practices,
8 customs and/or usages employed by the CPD that served no purpose but
9 to condone, ratify, permit or otherwise approve of the misconduct
10 employed by officers within the ranks of the CPD. Such misconduct is
11 implicated in this case. Their conduct ensures that the pattern of conduct
12 as outlined continues to occur. All the SUPERVISING OFFICER
13 DEFENDANTS are sued in their official and personal capacities.
- 14 8. At all times relevant hereto, Defendant City of Corona developed and
15 maintained policies, practices, customs, and/or usages exhibiting
16 deliberate indifference to the constitutional rights of persons in the City
17 of Corona to be free from unreasonable searches and seizure, which
18 caused the violation of Emmanuel Onyenwe's constitutional rights. Such
19 conduct include but is not limited to unlawfully using unreasonable and
20 excessive force before, during, or after the making of an arrest, whether
21 the arrest was lawful or unlawful, depriving citizens of their
22 constitutional rights, privileges, and immunities. It is the policy, custom,
23 practice and/or usage of the Corona Police Department to inadequately
24 and improperly investigate citizen's complaints against police conduct
25 and acts of misconduct were tolerated by the City of Corona thereby
26 resulting in a violation of plaintiff's rights. It is the policy, custom,
27 practice, and/or usage of the City of Corona to inadequately and
28 improperly train and/or supervise its police officers on use of force. It is

1 the policy, custom, practice, and/or usage of the Corona Police
2 Department to fail to adequately investigate and/or discipline its officers
3 for violation of the citizenry's constitutional rights to be free from
4 unreasonable searches and seizures, thus ratifying such conduct.

5 **II**

6 **JURISDICTION**

- 7 9. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331,
8 1343 because it presents a question arising under the Constitution and
9 laws of the United States.

10 **III**

11 **VENUE**

- 12 10. The claims alleged herein arose from events or omissions occurring in
13 the County of Riverside. Therefore venue lies within the Central District
14 of California pursuant to 28 U.S.C. § 1391(b)(2).

15 **IV**

16 **FACTS COMMON TO ALL CAUSES OF ACTION**

- 17 11. On December 18, 2011, plaintiff was in the vicinity of Mill Creek night
18 club ("Mill Creek") located at 103 N. Lincoln Avenue in Corona.
19 12. Prior to getting to the location, Onyenwe had worked the 3:00 p.m. to
20 11:30 p.m. in Pomona, California on December 17, 2011. He clocked out
21 at about 11:29 p.m.
22 13. On his way home from work, Onyenwe got a call from a friend who was
23 a patron at Mill Creek requesting for Onyenwe to transport him from Mill
24 Creek to his residence.
25 14. Onyenwe arrived at the location and observed his friend and his female
26 companion in a conversation with individuals that appeared to be security
27 guards at Mill Creek. Also, he observed several police officers in the
28 area.

- 1 15. Onyenwe parked his car and proceeded to his friend's vehicle. Upon
2 approach, he inquired into what was going on. His friend gave him his
3 car cars and both proceeded towards the vehicle together with the friend's
4 female companion.
- 5 16. As Onyenwe open the door to his car for his friend and female
6 companion to enter, the police worked up to the car and arrested
7 Onyenwe's frien and his female companion.
- 8 17. One of the officers violently yanked Onyenwe out of the car, slammed
9 Onyenwe on side of the car and proceeded to handcuff Onyenwe.
- 10 18. When Onyenwe asked why they were arresting him, the officers initially
11 ignored him and continued to shove and kick him. He was repeatedly
12 kicked and slammed to the car. Thereafter, the officers yelled that he
13 under arrest for public intoxication.
- 14 19. Onyenwe attempted to explain to the officers that he just got of work and
15 cannot be drunk. The officers retorted that "you have no rights." He
16 continually requested that the officers' conduct a field sobriety tests or
17 any tests to show that he was not intoxicated. He protested his innocence
18 insisting that he just got off work. Each plea of innocence was responded
19 to with more attack.
- 20 20. The defendants took Onyenwe to the police station. At the station,
21 Onyenwe repeated that he should be given an opportunity to explain
22 himself. Defendants responded that "you have no right when you are in
23 custody." Again, the officer shoved and pushed him.
- 24 21. Onyenwe was fingerprinted booked and released after eight hours.
25 Neither his friend nor his female companion was finger printed and
26 booked.
- 27 22. The defendants did not accede to Onyenwe's requests to be tested for the
28 presence of any intoxicating substance in his blood.

V

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

**42 U.S.C. § 1983 – EXCESSIVE FORCE AGAINST THE INDIVIDUAL
NAMED PARTY DEFENDANTS**

23. Plaintiff re-alleges and incorporates Paragraphs 1 through 21 above, as though fully stated in this paragraph.

24. The actions as alleged above deprived plaintiff his rights under the Constitution of the United States of America to be free from the use of excessive and unreasonable force.

25. Defendants subjected plaintiff to such deprivations with malice and oppression and disregard of plaintiff's constitutional rights.

SECOND CLAIM FOR RELIEF

**FALSE ARREST AND IMPRISONMENT IN VIOLATION OF 42 U.S.C. §
1983. AS AGAINST THE INDIVIDUAL NAMED PARTY DEFENDANTS**

26. Plaintiff re-alleges and incorporates Paragraphs 1 through 21 above, as though fully stated in this paragraph.

27. The conduct of named party defendants, acting individually and collectively resulted in Plaintiff being falsely, maliciously and unlawfully arrested and detained and plaintiff was deprived of his rights as secured by the Fourth Amendments of the Constitution of the United States.

THIRD CLAIM FOR RELIEF

42 U.S.C § 1983 – SUPERVISING OFFICER DEFENDANTS

28. Plaintiff re-alleges and incorporates Paragraphs 1 through 21 above, as though fully stated in this paragraph.

29. The supervising officer defendants sued as DOE defendants knew or in the exercise of due diligence would have known that the conduct of the

1 named officer defendants as displayed towards plaintiff in the incident
2 was likely to occur.

3 30. The supervising officer defendants sued as DOE defendants failed to take
4 any preventive or remedial measures to guard against the conduct of
5 named officer defendants. The supervisory defendants failed to train,
6 instruct, supervise, and discipline named officer defendants thus ratifying
7 their conduct.

8 31. Plaintiff is informed and believes and thereon alleges that the supervising
9 officer defendants received complaints about the conduct implicated in
10 this lawsuit against the officer defendants and other officers within PPD
11 but failed to act on the complaints. These failures created the atmosphere
12 for the harm that plaintiff suffered.

13 32. As a result of the aforementioned acts or failure to act by the supervising
14 officer defendants, plaintiff was denied of his right to be secure in his
15 person against unreasonable search and seizure of his person in violation
16 of the Fourth Amendment to the United States Constitution.

17 **FOURTH CLAIM FOR RELIEF**

18 **42 U.S.C – MONELL CLAIM AGAINST CITY OF CORONA**

19 33. Plaintiff re-alleges and incorporates Paragraphs 1 through 21 above, as
20 though fully stated in this paragraph.

21 34. As delineated above, the City of Corona had in place and had ratified,
22 policies, procedures, customs and practices which permitted and
23 encouraged their employees to unjustifiably and unreasonably violate the
24 citizen's constitutional rights to be free from unreasonable search and
25 seizures.

26 35. Such policies, procedures, customs and practices also called for the City
27 of Corona and its Police Department not to adequately train, discipline,
28 prosecute, or objectively and/or independently investigate or in any way

1 deal with or respond to known incidents and complaints of excessive and
2 unreasonable force against its employees.

- 3 36. On information and belief, the systemic deficiencies include but are not
4 limited to unlawful arrest, and use of excessive force. Further, the City
5 ratified constitutional violations that occurred from its policy by their
6 action or inaction.
- 7 37. The direct and proximate result of defendants' acts is that plaintiff was
8 denied of his right to be secure in his person against unreasonable search
9 and seizure of his person in violation of the Fourth Amendment to the
10 United States Constitution.

11 **IV**

12 **PRAYER FOR RELIEF**


13 WHEREFORE, Plaintiff prays for the following relief:

- 14 1. Plaintiff be awarded compensatory damages;
- 15 2. Plaintiff be awarded punitive damages as against individual named
16 party defendants;
- 17 3. Plaintiff be awarded reasonable attorneys' fees and costs of
18 litigation pursuant 42 U.S.C. § 1988 against the defendants; and
- 19 4. Plaintiff be granted such other relief as this court deems proper and
20 just.

21 Dated August 14, 2012

Law Offices of Akudinobi & Ikonte,

22
23
24 BY:


Emmanuel C. Akudinobi, Esq.
Chijioke O. Ikonte, Esq.
Attorneys for Plaintiff
Emmanuel Onyenwe

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) FOR OR PLAINTIFF OR
DEFENDANT IF PLAINTIFF OR DEFENDANT IS PRO PER

Chijioke O. Ikonte, SBN206203
Law Offices of Akudinobi & Ikonte
3540 Wilshire Blvd., Suite 850
Los Angeles, CA 90010
cikonte@yahoo.com
(213) 387-0869

FILED

2012 AUG 15 PM 3:34

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

ATTORNEYS FOR: Emmanuel Onyenwe

BY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Emmanuel Onyenwe

Plaintiff(s)

CASE NUMBER

ED CV12-01363 MMM SPX

v.

City of Corona, Officer Montalbano #002508,
Officer Dopson, Officer B. Gonzalez and Does 1 -
10, Inclusive

Defendant(s)

CERTIFICATION AND NOTICE
OF INTERESTED PARTIES
(Local Rule 7.1-1)

TO: THE COURT AND ALL PARTIES APPEARING OF RECORD:

The undersigned, counsel of record for Emmanuel Onyenwe
(or party appearing in pro per), certifies that the following listed party (or parties) may have a direct, pecuniary
interest in the outcome of this case. These representations are made to enable the Court to evaluate possible
disqualification or recusal. (Use additional sheet if necessary.)

PARTY

CONNECTION

(List the names of all such parties and identify their connection and interest.)

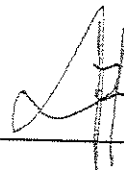
Emmanuel Onyenwe
City of Corona
Officer Montalbano #002508
Officer Dopson
Officer B. Gonzalez

Plaintiff
Defendant
Defendant
Defendant
Defendant

August 14, 2012

Date

Sign



Chijioke O. Ikonte

Attorney of record for or party appearing in pro per

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Margaret M. Morrow and the assigned discovery Magistrate Judge is Sheri Pym.

The case number on all documents filed with the Court should read as follows:

EDCV12- 1363 MMM (SPx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) Emmanuel Onyenwe	DEFENDANTS CITY OF CORONA, OFFICER MONTALBANO #002508, OFFICER DOPSON, OFFICER B. GONZALEZ
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Chijioke O. Ikonte, SBN206203 Law Offices of Akudinobi & Ikonte 3540 Wilshire Blvd., Suite 850, Los Angeles, CA 90010	Attorneys (If Known) Unknown

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:33%; border: none;"> Citizen of This State Citizen of Another State Citizen or Subject of a Foreign Country </td> <td style="width:33%; border: none; text-align: center;"> <table style="border: none;"> <tr> <td style="border: none;">PTF</td> <td style="border: none;">DEF</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 1</td> <td style="border: none;"><input type="checkbox"/> 1</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 2</td> <td style="border: none;"><input type="checkbox"/> 2</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 3</td> <td style="border: none;"><input type="checkbox"/> 3</td> </tr> </table> </td> <td style="width:33%; border: none;"> Incorporated or Principal Place of Business in this State Incorporated and Principal Place of Business in Another State Foreign Nation </td> </tr> <tr> <td style="border: none; text-align: right;">PTF</td> <td style="border: none; text-align: center;">DEF</td> <td style="border: none; text-align: right;">PTF</td> </tr> <tr> <td style="border: none; text-align: right;"><input type="checkbox"/> 4</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 4</td> <td style="border: none; text-align: right;"><input type="checkbox"/> 4</td> </tr> <tr> <td style="border: none; text-align: right;"><input type="checkbox"/> 5</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 5</td> <td style="border: none; text-align: right;"><input type="checkbox"/> 5</td> </tr> <tr> <td style="border: none; text-align: right;"><input type="checkbox"/> 6</td> <td style="border: none; text-align: center;"><input type="checkbox"/> 6</td> <td style="border: none; text-align: right;"><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State Citizen of Another State Citizen or Subject of a Foreign Country	<table style="border: none;"> <tr> <td style="border: none;">PTF</td> <td style="border: none;">DEF</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 1</td> <td style="border: none;"><input type="checkbox"/> 1</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 2</td> <td style="border: none;"><input type="checkbox"/> 2</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> 3</td> <td style="border: none;"><input type="checkbox"/> 3</td> </tr> </table>	PTF	DEF	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Incorporated or Principal Place of Business in this State Incorporated and Principal Place of Business in Another State Foreign Nation	PTF	DEF	PTF	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 5	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify):
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 42 USC Section 1983

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 535 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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ED CV12-01363 MMM SPX

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Riverside	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☒ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Riverside	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ **Date** August 14, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))